IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

Ganga Ram Suyal Vs. State of Rajasthan

S.B.CR. MISC. PETITION NO.1153/2006

DATE OF ORDER :: October 22, 2007

PRESENT

HON'BLE MR.JUSTICE H.R.PANWAR

None present, for the petitioner.
Mr.Ashok Upadhyaya, P.P., for the State.

BY THE COURT:

No one appears for the petitioner.

Heard learned Public Prosecutor and perused the FIR under challenge.

By this petition under section 482 Cr.P.C., the petitioner seeks quashing of FIR No.243/2006 dt. 9.7.2006, Police Station, Surajpole, Udaipur for the offence under section 3/7 of the Essential Commodities Act, 1955 and under section 420, 120-B and 285 I.P.C.

I have gone through the first information report and on perusal of the FIR, in my view, the FIR discloses the cognizable offences noticed above. It cannot be said that the FIR is barred by any provision of law or out come of any malice or it is absurd.

Keeping in view the decisions of Hon'ble Supreme Court in State of Haryana & Ors. vs. Ch. Bhajan Lal & Ors., **A.I.R. 1992 SC 604** and in M.L.Bhatt vs. M.K.Pandita & Ors., **JT 2002 (3) SC 89,** in my view, no case for quashing of FIR is made out. It is settled law that the powers under section 482 Cr.P.C. are to be exercised sparingly and that too in rarest of rare cases. The case in hand is not of that nature.

Consequently, the petition fails and is hereby dismissed.

[H.R.PANWAR],J.

m.asif/-